U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, DC 20591

April 14, 2022

Mr. Brad Fogg

Dear Mr. Fogg:

This is in response to your letter posted to the public docket (No. FAA-2021-1197),
December 15, 2021, petitioning the Federal Aviation Administration (FAA) to initiate
rulemaking to change Title 14 Code of Federal Regulations (14 CFR) § 121.383 to allow
pilots to continue to serve as a pilot on an airplane engaged in part 121 operations after
reaching his orher 65th birthday.

In accordance with 14 CFR § 11.73, the FAA considers the following criteria to
determine whether it is appropriate to initiate rulemaking based on a petition:

1) The immediacy of the safety or security concerns you raise;

2) The priority of other issues the FAA must deal with; and

3) The resources the FAA has available to address these issues.

Each year, the FAA prioritizes its rulemaking projects based on issues that are important
to the safety and security of the aviation community and the traveling public to ensure the
FAA delivers the most value to the aviation system consistent with available resources.

After reviewing your petition based on the considerations found in § 11.73, and the
current priorities for the FAA, the FAA has determined that your petition does not meet
the criteria to pursue rulemaking at this time. However, your comments and arguments
for the proposed rule changes in your petition will be placed in a database, which the
FAA will examine when the FAA considers future rulemaking.

If the FAA does pursue rulemaking in this area in the future, you would be able to find
out and track it through the DOT's semi-annual regulatory agenda, through the Office of
Management and Budget's (OMB) Office of Information and Regulatory Affair's
(OIRA) Unified Agenda website (http://www.reginfo.gov/public/do/eAgendaMain).

For the reasons above, the FAA will take no further action on your petition for rulemaking in accordance with 14 CFR § 11.73.

Sincerely,

/s/

Dan Ngo
Manager, Part 11 Petitions Branch,
Office of Rulemaking